

SENATE BILL REPORT

SSB 5724

As Amended by House, April 8, 2009

Title: An act relating to electricity from biomass energy that is a renewable resource.

Brief Description: Concerning the generation of electricity from biomass energy that is a renewable resource.

Sponsors: Senate Committee on Environment, Water & Energy (originally sponsored by Senator Pridemore).

Brief History:

Committee Activity: Environment, Water & Energy: 2/17/09, 2/18/09 [DPS].

Passed Senate: 3/10/09, 46-0.

Passed House: 4/08/09, 98-0.

SENATE COMMITTEE ON ENVIRONMENT, WATER & ENERGY

Majority Report: That Substitute Senate Bill No. 5724 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rockefeller, Chair; Pridemore, Vice Chair; Honeyford, Ranking Minority Member; Delvin, Fraser, Hatfield, Holmquist, Morton and Ranker.

Staff: William Bridges (786-7416)

Background: Biomass Energy Under Initiative 937. Approved by voters in 2006, the Energy Independence Act, also known as Initiative 937, requires electric utilities with 25,000 or more customers to meet targets for energy conservation and for using eligible renewable resources.

Under the Initiative, "biomass energy" is an eligible renewable resource if, among other things, it is based on animal waste or solid organic fuels from wood, forest, or field residues, or dedicated energy crops that do not include the following: (1) wood pieces that have been treated with chemical preservatives such as creosote, pentachlorophenol, or copper-chrome-arsenic; (2) black liquor byproduct from paper production; (3) wood from old growth forests; or (4) municipal solid waste.

County Authority to Generate Electricity. Under the solid waste management laws, a county may generate electricity from solid waste subject to air quality permitting, although no

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county is currently doing so. It is not clear if counties are authorized to generate electricity from biomass energy.

Public Utility Districts (PUDs). PUDs are municipal corporations authorized to provide electricity, water, and sewer service. There are currently 28 PUDs in Washington, at least ten of which provide electricity: Chelan, Clark, Cowlitz, Douglas, Grant, Klickitat, Lewis, Mason Number 3, Pend Oreille, and Snohomish.

Summary of Substitute Bill: A county with a PUD that generates, transmits, and distributes electricity for sale within the county may construct and operate a facility to generate electricity from biomass that is classified as a "renewable resource" under Initiative 937. The county may regulate and control the electricity produced by the facility.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The bill is not controversial. It allows certain counties to use biomass to produce electricity.

Persons Testifying: PRO: Senator Pridemore, prime sponsor.

House Amendment(s): Expands eligible biomass fuels to lignin in spent pulping liquors or liquors derived from algae and other sources.